

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6284

BILL NUMBER: SB 119

NOTE PREPARED: Nov 27, 2012

BILL AMENDED:

SUBJECT: Vehicular Manslaughter.

FIRST AUTHOR: Sen. Buck

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill makes involuntary manslaughter committed with a vehicle a Class C felony. (Under current law, the offense is a Class D felony.)

Effective Date: July 1, 2013.

Explanation of State Expenditures: State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. A Class D felony is punishable by a prison term ranging between 6 months to 3 years or reduction to Class A misdemeanor, depending upon mitigating and aggravating circumstances. A Class C felony is punishable by a prison term ranging from 2 to 8 years. More offenders could mean increased costs to the Department of Correction (DOC). The average length of stay in DOC facilities for all Class C felony offenders is approximately 2 years, while the average for all Class D felony offenders is approximately 10 months.

The average expenditure to house an adult offender was \$18,582 in FY 2012. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the incremental cost for medical care, food, and clothing is approximately \$3,234 annually, or \$8.86 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$78,318 in FY 2012.

Background: For FY 2012, five people were committed to state prison for involuntary manslaughter. All of the commitments were as Class C felonies.

Explanation of State Revenues: No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class D or C felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: No additional revenues would be expected since the court fees for Class D and Class C felonies are both \$120.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association; Department of Correction.

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